

## UNITED STATES DISTRICT COURT

for the  
District of Arizona

United States of America )

v. )

Santos Pardo-Barron,  
a.k.a. Jose Manuel Lopez,  
A200 757 081 )Defendant )

Case No. 17-367 MJ

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of August 31, 2017, in the County of Maricopa, in the District of Arizona, the defendant violated Title 8, U.S.C. § 1326(a), an offense described as follows:

Santos Pardo-Barron, an alien, was found in the United States of America at or near Gila Bend, in the District of Arizona, after having been previously denied admission, excluded, deported, or removed from the United States at or near Del Rio, Texas, on or about February 19, 2014, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).

I further state that I am a Border Patrol Agent with U.S. Customs and Border Protection.

This criminal complaint is based on these facts:

**See Attached Statement of Probable Cause Incorporated By Reference Herein**

REVIEWED BY: Charles E. Bailey Jr., P.S. for AUSA Jonathan R. Hornok

☒ Continued on the attached sheet.

Complainant's signature

Jimmy X. Cepeda

U.S. Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: September 1, 2017

Judge's signature

City and state: Phoenix, Arizona

Michelle H. Burns

United States Magistrate Judge

Printed name and title

### **STATEMENT OF PROBABLE CAUSE**

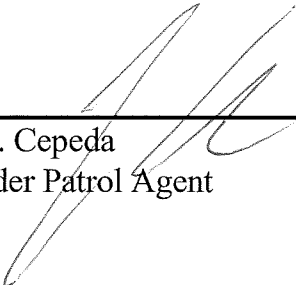
I, Jimmy X. Cepeda, being duly sworn, hereby depose and state as follows:

1. Your affiant is a United States Border Patrol agent. I have learned from direct participation in the investigation and from the reports and communications of other agents and officers the facts recited herein.
2. On August 31, 2017, Border Patrol Agent M. Griffith encountered an individual near Gila Bend, in the District of Arizona. The agent identified himself as a Border Patrol agent and performed an immigration inspection on the individual. The individual, later identified as Santos Pardo-Barron, admitted to being a citizen and national of a country other than the United States, unlawfully present in the United States. Pardo-Barron was transported to the Ajo Border Patrol Station for further processing. Pardo-Barron was held in administrative custody until his criminal and immigration history could be verified.
3. Immigration history checks revealed Santos Pardo-Barron to be a citizen of Mexico and a previously deported criminal alien. Pardo-Barron was removed from the United States to Mexico through Del Rio, Texas, on or about February 19, 2014, pursuant to the reinstatement of a removal order issued by an immigration official. There is no record of Santos Pardo-Barron in any Department of Homeland Security database to suggest that he obtained permission from the Secretary of the Department of

Homeland Security to return to the United States after his removal. Pardo-Barron's immigration history was matched to him by electronic fingerprint comparison.

4. Criminal history checks revealed that Santos Pardo-Barron was convicted of Transporting and Selling of a Controlled Substance, a felony offense, on February 3, 2012, in the Superior Court of California, County of Los Angeles. Pardo-Barron was sentenced to a term of one hundred eighty (180) days' imprisonment and three (3) years' probation. Pardo-Barron's criminal history was matched to him by electronic fingerprint comparison.
5. On August 31, 2017, Santos Pardo-Barron was advised of his constitutional rights. Pardo-Barron freely and willingly acknowledged his rights and agreed to provide a statement under oath. Pardo-Barron stated that his true and correct name is Santos Pardo-Barron and that he is a citizen of Mexico. Pardo-Barron stated that he entered the United States illegally by walking through the desert, near Sonoyta, Mexico.
6. For these reasons, this affiant submits that there is probable cause to believe that on or about August 31, 2017, Santos Pardo-Barron, an alien, was found in the United States of America at or near Gila Bend, in the District of Arizona, after having been previously denied admission, excluded, deported, or removed from the United States at or near Del Rio, Texas, on or about February 19, 2014, and not having obtained the express consent of the Secretary of the Department of Homeland Security to reapply


for admission thereto; in violation of Title 8, United States Code, Section 1326(a), and enhanced by (b)(1).



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Jimmy X. Cepeda  
U.S. Border Patrol Agent

Sworn to and subscribed before me  
this 1<sup>st</sup> day of September, 2017.



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Michelle H. Burns  
United States Magistrate Judge